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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,286	12/20/2001	Yoshiaki Mori	P6495a	1796

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EPSON RESEARCH AND DEVELOPMENT INC  
INTELLECTUAL PROPERTY DEPT  
150 RIVER OAKS PARKWAY, SUITE 225  
SAN JOSE, CA 95134

EXAMINER

CHACKO DAVIS, DABORAH

ART UNIT

PAPER NUMBER

1756

DATE MAILED: 05/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/026,286

Applicant(s)

MORI ET AL.

Examiner

Daborah Chacko-Davis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) 23-64 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 08/02,03/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election without traverse of Group I, claims 1-22, in the reply filed on February 28, 2005, is acknowledged.
2. Claims 23-64, are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on February 28, 2005.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-22, are rejected under 35 U.S.C. 102(e) as being anticipated by U. S. Patent No. 6,734,029 (Furusawa).

Furusawa, in the abstract, in col 2, lines 1-22, in col 3, lines 55-57, in col 4, lines 16-29, and lines 46-59, in col 6, lines 14-24, in col 7, lines 22-54, in col 8, lines 1-19, and in figures 3, and 4, discloses forming a mask (reference 11b) with openings (pattern

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of lyophilic regions and lyophobic regions, photolithographically patterned) on a substrate (workpiece surface), and applying a fine particle dispersion solution (liquid pattern material) in the openings (lyophilic regions, reference 11a), and solidifying the fine particle dispersion in the lyophilic regions to form a pattern, wherein the solidification of the fine particle dispersion solution is performed by heating, and annealing the fine particles (dried solute of the liquid pattern material). Furusawa, in col 8, lines 1-27, in col 10, lines 16-67, discloses that the pattern material supply process (formation of the first and second self organizing films in the lyophilic regions) can be performed plural times, followed by a) the drying process (heating process to remove excess solvent from the fine particle dispersion), b) the cleaning process (removing excess material from the lyophobic region (solid material removal process, see figures 3, and 4, references 11a, and 11b), and the removal of the lyophobic region (removal of the mask from the workpiece) from the substrate (claims 1-9, 15, and 19-22).

Furusawa, in col 9, lines 59-67, in col 10, lines 1-5, discloses the formation of the mask (reference 11b of figure 3) as a lyophobic region (hydrophobic mask) (claims 10-11).

Furusawa, in col 8, lines 1-23, discloses that the fine particle dispersion in the lyophilic region (liquid pattern material) is solidified by heat, said heating is performed to remove the solvent, and to anneal the fine particle dispersion to form a film pattern (claims 12-13). Furusawa, in col 8, lines 1-27, in col 10, lines 1-37, discloses that the lyophobic region (mask) is removed after the annealing of the fine particle dispersion, and before the coating of the second self organizing film (mask removal and annealing is performed simultaneously) (claims 14, and 16-18).

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daborah Chacko-Davis whose telephone number is (571) 272-1380. The examiner can normally be reached on M-F 9:30 - 6:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark F Huff can be reached on (571) 272-1385. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

dcd  


May 23, 2005.

  
**JOHN A. MCPHERSON  
PRIMARY EXAMINER**